

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

HEATH ERBERT, TOPP'S  
MECHANICAL, INC., a domestic  
corporation;

Plaintiffs,

vs.

KONECRANES STANDARD LIFTING  
CORP., a foreign corporation; MORRIS  
MATERIAL HANDLING, INC., a foreign  
corporation; KONECRANES, INC., a  
foreign corporation; BLACK AND  
VEATCH CONSTRUCTION, INC., a  
foreign corporation; CASEY  
INDUSTRIAL, INC., a foreign corporation;  
and TOPP'S MECHANICAL, INC., a  
domestic corporation;

Defendants.

**4:10CV3196**

**MEMORANDUM AND ORDER**

After conferring with the parties,

**IT IS ORDERED:**

- 1) The court's previous progression order, (Filing No. 46), is set aside, and all deadlines and hearings therein are cancelled.
- 2) At this time, the parties' discovery efforts will be focused on preparing for additional mediation. The discovery needed for full participation in mediation shall be completed by March 31, 2013.
- 3) A telephonic conference with the undersigned magistrate judge will be held on **May 30, 2013 at 9:00 a.m.** to discuss the status of the parties' settlement discussions. Counsel for plaintiff shall place the call.

October 23, 2012.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge